

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

**CIVIL ACTION NO. 04-30177**

**JOEL PENTLARGE,  
Plaintiff,**

**v.**

**ROBERT MURPHY, *et al.*,  
Defendants.**

**MOTION TO EXTEND TIME OF DEFENDANTS KATHLEEN  
DENNEHY, ROBERT MURPHY AND THE MASSACHUSETTS  
DEPARTMENT OF CORRECTION TO RESPOND TO PLAINTIFF'S  
THIRD SUPPLEMENTAL COMPLAINT**

The Massachusetts Department of Correction ("DOC), Kathleen Dennehy and Robert Murphy (collectively, the "DOC Defendants"), hereby request that the Court extend the time for them to respond to the Plaintiff's Third Supplemental Complaint and Plaintiff's Motion to Consolidate until July 29, 2005. The Court has scheduled a hearing on a motion to consolidate this case for August 31, 2005.

As grounds for this motion, the DOC Defendants state that additional time is needed due to their counsel's significant workload which has recently been increased due to her own ten-day absence from work and the two-week absence of another attorney based at the Massachusetts Treatment Center where the undersigned is Supervising Counsel for DOC.

WHEREFORE, the DOC Defendants respectfully that this Court allow the DOC Defendants until July 29, 2005, to respond to the Plaintiff's Motion to Consolidate and the Plaintiff's Third Supplemental Complaint.

Certificate Pursuant to Local Rule 7.1

On June 28, 2005, the undersigned counsel left a voicemail message for plaintiff's counsel, John Swomley, requesting his assent to this motion. On June 29, 2005, the undersigned counsel again contacted Mr. Swomley's office and spoke with his colleague, attorney Jason Loomis. After discussion, Mr. Loomis indicated that Mr. Swomley would not object to the extension to the end of July. Kevin Mulvey, counsel for defendants Pushkina and O'Donnell, also assents to this motion.

Respectfully submitted,  
Massachusetts Department of Correction,  
Kathleen Dennehy and Robert Murphy,

By their attorneys,

NANCY ANKERS WHITE  
Special Assistant Attorney General

By: /s/ Mary P. Murray  
Mary P. Murray, Counsel (BBO # 555215)  
Department of Correction  
Massachusetts Treatment Center  
30 Administration Road  
Bridgewater, Massachusetts 02324  
(508) 279-8184  
(508) 279-8181 (fax)  
MPMurray@DOC.state.ma.us

Dated: June 30, 2005

Certificate of Service

I hereby certify that I caused a copy of the within document to be served by first class mail, postage pre-paid as follows: (1) John Swomley, Esquire, counsel for plaintiff Joel Pentlarge; and (2) Kevin Mulvey, Esquire, counsel for defendants Pushkina and O'Donnell, Mulvey & Sneider, LLP, 1622A Beacon Street, Brookline, MA 02446-2201.

/s/ Mary P. Murray  
Mary P. Murray

Dated: June 30, 2005